

UNITED STATES DISTRICT COURT

for the
Southern District of Ohio

United States of America

v.

RICHARD D. ROBERTS

Case No. 1:21-MJ-00405

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 16, 2020 in the county of Hamilton in the
Southern District of Ohio, the defendant(s) violated:

Code Section
18 U.S.C. 1001

False Statements

Offense Description

This criminal complaint is based on these facts:

(Please see attached affidavit.)

☒ Continued on the attached sheet.



Complainant's signature

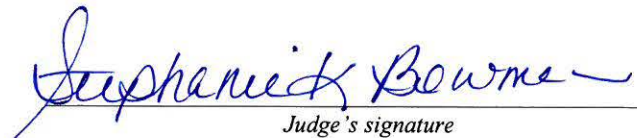
Special Agent Frederick Reier

Printed name and title

Sworn to before me and signed in my presence.

Date: May 6, 2021

City and state: Cincinnati, Ohio



Judge's signature

U.S. Magistrate Judge Stephanie K. Bowman

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES

v.

RICHARD D. ROBERTS

Case No. 1:21-MJ-00405

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Frederick Reier, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of a complaint and an application for a warrant to arrest RICHARD D. ROBERTS (date of birth xx/xx/1981).
2. I have been a Special Agent with the Social Security Administration/Office of the Inspector General (SSA/OIG) since March of 2019. Prior to that, I served as a Special Agent with the United States Secret Service since May of 2016. As a Special Agent for the SSA/OIG, it is my duty to investigate and help prevent fraud, waste, and abuse against the Social Security Administration and all of its programs.
3. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

PROBABLE CAUSE TO BELIEVE A CRIME WAS COMMITTED

4. There is probable cause to believe that on November 16, 2020, RICHARD D. ROBERTS violated 18 U.S.C. § 1001, which makes it a crime to make a false statement to the federal government.¹

5. ROBERTS was awarded Supplemental Security Income (SSI) disability benefits in 2014. The award letter reminded him to report if he started working, if his bank account balance went over \$2,000, or if his income or resources changed. This is because SSI is a need-based program, and beneficiaries must be unable to work and must also meet strict limits on income and resources.

6. On May 7, 2015, ROBERTS completed a redetermination of his SSI benefits. According to a printed summary of the redetermination, ROBERTS claimed that he had a checking account at JPMorgan Chase Bank, N.A. with a balance of \$25 to \$50 since July 2014, and he did not own any other financial resources. He also stated he did not receive any other

¹ The statute states, in relevant part:

Except as otherwise provided in this section, whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully--
(1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact;
(2) makes any materially false, fictitious, or fraudulent statement or representation; or
(3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry;
shall be [punished].

type of income. In reality, his bank account balance was about \$1,500 on the day he made that statement. A few months earlier, the balance had been as high as \$7,900.

7. On November 16, 2020, ROBERTS completed another redetermination of his benefits. According to a printed summary of the redetermination, ROBERTS stated that he had a checking account at JPMorgan Chase Bank, N.A. with a balance of \$0 since October 2018, and he did not own any other financial resources. He also stated he did not receive any other type of income.

8. In reality, by this time ROBERTS had three accounts at JPMorgan Chase. He was a co-owner (with “K.W.”) of a personal checking account that was opened in 2014; this is the account mentioned above, which had high balances around the time of his 2015 benefits review. He was also a co-owner (with “K.W.”) of a business checking account in the name of Drivin You Crazy Transportation LLC, which was opened on May 4, 2019. He was also the sole owner of another business checking account in the name of RR Professionals LLC, which was opened on June 18, 2020. Records from the Ohio Secretary of State reflect that ROBERTS was the Statutory Agent of this business. ROBERTS also applied for and received a federal small business loan for this business in 2020.

9. The account for RR Professionals contained significant deposits. For example, on November 10, 2020—just six days before ROBERTS told the Social Security Administration that he had no income and only one bank account with a \$0 balance—ROBERTS deposited a check for \$2,282.37 into his RR Professionals business account. This check came from Jani-

King of Cincinnati, for which RR Professionals was a franchisee (ROBERTS signed the franchise paperwork).

10. The joint bank account with "K.W." also contained significant deposits aside from ROBERTS's SSI benefits. SSA rules state that money in a joint bank account is considered to belong to the SSI beneficiary.

11. An SSA employee reviewed this case in April 2021 and determined that ROBERTS was overpaid \$55,006 in SSI benefits from 2014 to through 2020 based on his unreported financial resources.

CONCLUSION

I respectfully submit that this affidavit supports probable cause that RICHARD D. ROBERTS violated 18 U.S.C. § 1001 on November 16, 2020.


Special Agent Frederick Reier
Social Security / Office of Inspector General

Subscribed and sworn to before me on May 6, 2021


HON. STEPHANIE K. BOWMAN
UNITED STATES MAGISTRATE JUDGE